

Remarks

No claims have been amended. No claims have been canceled. Therefore, claims 1-26 are presented for examination.

Claims 1-26 stand rejected under 35 U.S.C. §102(b) as being anticipated by Venkitakrishnan et al. (U.S. Patent Application Pub. No. 2003/0023794). In response, applicants submit a declaration pursuant to 37 C.F.R. § 1.131 enclosed herewith to overcome the Venkitakrishnan reference.

The submitted declaration illustrates that that the present application had been conceived and reduced to practice in the United States prior to July 26, 2001, the effective filing dates of Venkitakrishnan. Reduction to practice occurs upon proof that the inventor had prepared drawings or other descriptions of the invention that are sufficiently specific to enable a person skilled in the art to practice the invention. *Pfaff v. Wells Elec., Inc.*, 525 U.S. 55.

Therefore, applicants submit that the above rejection has been obviated since Venkitakrishnan has been overcome by the enclosed 37 C.F.R. §1.131 declaration.

Applicants emphasize that submission of the enclosed declaration pursuant to 37 C.F.R. §1.131 should not be construed as an acquiescence to the any of the reasons for rejection set forth in the November 26, 2004 Office Action.


Applicants respectfully submit that the rejections have been overcome, and that the claims are in condition for allowance. Accordingly, applicants respectfully request the rejections be withdrawn and the claims be allowed.

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: February 11, 2005



Mark L. Watson
Reg. No. 46,322

12400 Wilshire Boulevard
7th Floor
Los Angeles, California 90025-1026
(303) 740-1980